

REMARKS

Summary of the Office Action

Claims 35-42 and 51-66 stand rejected under 35 U.S.C. § 101 for allegedly being directed to non-statutory subject matter.

Claims 35-42 and 51-66 stand rejected under 35 U.S.C. § 112, first paragraph, as allegedly failing to comply with the written description requirement.

The Office Action of July 22, 2008, indicates claims 35, 51 and 59 contain subject matter that is allowable over the prior art of record and in view of an updated search by the examiner on 7/14 – 15/2008.

Summary Of Claims

Claims 35-42 and 51-66 are amended herein. No new matter has been added.

All Claims Comply with 35 U.S.C. § 101 and 112, first paragraph

Claims 35-42 and 51-66 stand rejected under 35 U.S.C. § 101 for allegedly being directed to non-statutory subject matter. Specifically, the Office Action alleges that the latest amendments to the claims resulted in the addition of new matter, in violation of 35 U.S.C. § 112, first paragraph. Thus, according to the Office Action, because the proposed amendments representing Applicant's attempt to overcome the 101 rejection by amendment result in new matter, the 101 rejection is maintained.

Without conceding the propriety of the rejections in the Office Action, and in order to advance prosecution of this application, the Applicant has amended all pending claims. In particular, the claims as amended are each directed to an apparatus comprising computer-readable media that store data describing the term note and the money market note. Such

amendments are clearly supported in the specification at page 5, lines 12 – 14 (“[m]oney market note 130 and term note 140 are financial securities [which] may be embodied in . . . electronic form, such as a data record or file associated with an account”). Thus, the pending claims as amended clearly comply with 35 U.S.C. 112, first paragraph.

Also, as such claims are directed to an apparatus comprising computer-readable media, such claims also clearly comply with 35 U.S.C. 101.

CONCLUSION

In view of the foregoing, it is respectfully submitted that the pending claims are in condition for allowance. Applicants respectfully request reconsideration of the claims and the timely allowance thereof.

If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0310. If a fee is required for an extension of time under 37 C.F.R. 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Dated: January 29, 2009

By: /Alison B. Weisberg/
Alison B. Weisberg
Reg. No. 45,206

MORGAN, LEWIS & BOCKIUS LLP
1701 Market Street
Philadelphia, PA 19103
Telephone: 215.963.5091
Facsimile: 215.963.5001